GLEN PARK NEWS

DECEMBER 1994

To Legalize or Not To Legalize

by Ricka Gerstmann

Many of us bought our homes during the strong seller's market of 1988-89. Frequently, "unwarranted rooms" were on the disclosure.

Since the seller's market came to an abrupt end five years ago, home buyers have become increasingly reluctant to take on responsibility for someone else's substandard improvements. That liability can include:

- A hefty fine. If the building department finds that workwas done without permits, the current owner can be fined as much as nine times the cost of the permit.
- If the work does not conform to planning guidelines and building codes, it may have to be removed.
- Lenders and appraisers are increasingly reluctant to assign illegal improvements much value, which can make it more difficult to get a loan.

So what can you do if you own a property with illegal improvements? A Glen Park homeowner faced this dilemma recently, when he decided to remodel and sell a home he had owned for fifteen years. His home's living space had been nearly doubled, with nice but non-permitted rooms built by a previous owner. All of the space was within the original "envelope" of the house. Market analysis showed about a $40,000 difference in probable sales price, depending upon whether the additional rooms were legal or illegal.

It turned out that he was able to legalize his home fairly inexpensively. Permit-related fees were about $2,000, and the construction materials were less than $2,000. If he had hired a contractor to do the work, it wouldn't have cost more than $10,000 in total.

His first step was an informal meeting with the building inspector stressing that he was a "good-guy" homeowner, trying to legalize work done by someone else.

Next, he submitted plans and applied for permits, just as if the rooms were being built now. Generally, illegal space must be brought up to current codes, not those in effect at the time the original work. In rare cases, you may not have to comply with all current codes if you can prove that the work was done prior to 1967.

You'll probably be required to record an affidavit, promising not to convert the space into an in-law apartment. The affidavit becomes part of the "permanent record" for the property.

It is a little trickier if you are responsible for construction of illegal improvements yourself. You can hire a permit facilitator like Quickdraw Permit Consulting.

continued on page 5

Annual Glen Park Association Potluck

We will have our annual potluck at the February meeting. We are also planning to vote on the new Association bylaws at thenext meeting at which there is a quorum.

It's Membership Renewal Time

Don't forget—your GPA membership expires 12/31/94 and you must renew by January 15, 1995 in order to vote at the February general meeting elections.

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Glen Park News

Glen Park News is published quarterly by the Glen Park Association in March, June, September and December. Signed articles reflect the opinions of the authors and not necessarily those of the Glen Park Association.

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Glen Park Association Notes

Our dual October meetings provided a Q&A forum for 18 supervisor candidates and proponents/opponents of 16 city ballot initiatives. We were joined by members of the Upper Noe Neighbors and the Diamond Heights Community Association. We had a crowd of over 45 for the first night supervisor presentations and a smaller group of 17 to learn about the ballot initiatives.

We hope everyone remembered to vote!

Call for New Committee Chairs

As of this writing, the following GPA Board positions and committee chairs are vacant for 1995: recording secretary, corresponding secretary, newsletter assistant editor, recreation and park, traffic and parking, health and environment, neighborhood improvement, public safety. Please participate—we'd love to have you!

Parking and Traffic Update

The Lamartine pedestrian bridge that crosses over both I-280 and San Jose and connects with Glen Park by the J-Church extension access bridge, is to be demolished. CalTrans, who hosted an informational meeting on September 29 at the Glen Park School, is concerned that the tall, long, thin structure is susceptible to earthquake forces. A 12-hour (6 a.m.-6 p.m.) pedestrian count was done in 1992 and determined that 50 people used the overcrossing on a typical weekday while more than 200 people cross under these major thoroughfares using Bosworth Street.

With a view to increasing motorist safety, DPT has extended the concrete divider at the intersection of Monterey Boulevard at Joost with "safe-hit posts".

Recreation and Park

Since this is my last year at the GPA as chair of Recreation and Park, I want to thank the members for supporting every proposal I made regarding Glen Canyon Park. I owe special thanks to Marcia DeHart, past president of GPA, for her expertise and support in helping me create Friends of Glen Canyon Park, which started as an ad-hoc committee.

The work in the canyon has been extended for another year based on the funds that had been given to the park. The boardwalk has been completed and a small bridge will be built over Islais Creek to complete a loop

trail, which will have handicapped access. Trail and erosion work is on-going. So is seed collecting of native plants by the Conservation Corps. Over 2,000 plants have been propagated and will be planted in the canyon.

Restoration work on Islais Creek should be starting next year. The delay has been due to red tape.

A special hurrah to Miriam Moss for her work on the tennis courts. We have had a first class renovation. Now all we need is better lighting! So it goes... but we do have the beginning of restoration in the canyon, a new roof on the gymnasium and a renovated playground. There is always something to work towards and I'll be happy to consult with the new chair.

Public Safety

If you would like to be more active in public safety, contact Eliza at 587-1509. A co-chair will lighten the load for both of us.

Thank you to the many people who showed their concern over Joseph Jaworowicz. His murder, while tragic, really brought the committee together. The candlelight vigil had a police escort. Thanks especially to Captain Dower, Dick Ingraham and Daniel Gray.

Other things you can do:

- Attend earthquake safety classes with NERT. Please call Les Lewis at 337-8330.
- As suggested at the SAFE meeting: buy a personal alarm and/or pepper spray, available at Sharper Image.
- Attend community meetings: SAFE block meetings (easy to start one of your own); Glen Park Association general meeting the second Tuesday of every month, Ingleside Community Meeting the third Tuesday.
- Get a dog companion.
- Get a home security inspection and/or an alarm system.

Most of all, think positive and stay in touch with your neighbors. We have one regular patrol car for Diamond Heights and Glen Park. We also have Officers Ed Collins and Oscar Carcelen as beat officers who will patrol our Glen Park corridor along with several other areas, including Muni.

Use your eyes. Call 553-0123 if you see something happening that is not life-threatening, or 911 if you see a serious crime in progress. Don't be afraid.

As of this writing there are still no leads in the Jaworowicz murder. Be aware that flyers we are distributing are being taken down. This indicates that someone local is trying to help us forget.

Every little bit helps. So, stay involved.

Morgan Hall Is Leaving

Morgan Hall, co-chair of the Glen Park Association's Zoning and Planning Committee for the last five years with Les Gerstmann, is taking his family and leaving 'trendy Glen Park' for 'trendy Sausalito'. Frankly, we can't understand such a choice, but it's *his* choice, for better or worse. Let's hope they like the yearly mating call of the Richardson Bay frogs we keep hearing about .

Morgan has been a conscientious leader of this committee and we will miss his level-headed approach to developing a consensus among the many disparate

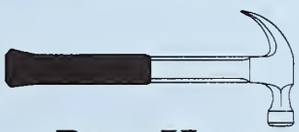
Calendar

Native plant restoration in Glen Canyon Park

Friends of Glen Canyon Park work parties 3rd Saturday of the month, 9 a.m. to 12 noon. December 17, January 21, February 18. Wear work clothes and gloves. Meet behind the Rec Center where the stream goes underground. Heavy rain cancels.

Coming art exhibits at *Café?*, 2885 Diamond Street

December—Photocopy prints of collages by Bruce Conner
January—Glen Park After-School Program
February —Black and white photos by Renee Jones
March —Photography by Mike Blumenstaadt



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members of the committee during his tenure. With his co-chair, Morgan has maintained a level of rational and caring leadership during a tumultuous period for the Association and has stuck it out through three and one half regimes within our recent history. We thank him for his patience, his understanding, his hospitality and his wine.

To Morgan and Anne, all our best! We're looking forward to parties on the deck in *fabulous Marin.*

Can You Spare an Hour for the *News*?

There are a dozen *Glen Park News* delivery routes that need a delivery person. The average route takes an hour, so four issues will only require about four hours of your time a year! Please volunteer to deliver a route. It's a great family activity and a pleasant way to meet your neighbors. Please call Les Lewis at 337-8330 if you can help.

New Newsletter Editor

Beginning with the March issue, the *News* will have a new editor. His name is Pete Brannigan, 239-8444. He will be looking forward to your articles!

Submissions Deadline

The articles and advertising submissions deadline for the March issue of the Glen Park News is January 28.

GPA InfoLine—985-7475

Call our InfoLine if you have questions, comments or would like to participate in GPA activities.

Future Plans for Glen Canyon Park

At our August meeting, Dawn Murayama regaled us with stories of the canyon's history as well as city plans for this fabulous resource. The school district has an environmental studies program at McAteer High and restoration of native plants is underway.

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Legalization

continued from front page

According to Jeremy Paul of Quickdraw, none of his "voluntary compliance" clients was fined.

If you are considering legalization, first assess feasibility. Depending on the quality of the construction, it may not be worthwhile, or even possible to bring it up to code. A knowledgeable architect or contractor or a facilitator can help. Quickdraw can also draw up plans and shepherd the application. You may also want your Realtor to analyze the property's value with the work legalized in comparison to its current state.

If you aren't absolutely sure the work was done without permits, you can obtain a permit history from the microfilm records at the building department. It costs about $1/page, and you can get copies of electrical and plumbing permits, too.

Even if the current real estate recovery escalates into a seller's market, this issue will probably not go away any time soon. In a study of the 100 most recent lawsuits filed against a large real estate brokerage firm, failure to disclose non-permit work accounted for the largest category—22%. It's fair to assume that the sellers of those properties were named in the lawsuits, as well. In summary:

- Carefully analyze the long term financial benefit of legalizing any non-permitted improvements.
- If you decide it's worth doing, it can take as much as three months from plan submittal to permit issuance.
- Expect the fees for plan check, permits, etc. to be high.
- Be flexible about what you call a room on the plans. For example, it might not meet the legal requirements to be a bedroom, but it may as finished storage.
- Nearly everything requires a permit these days. When deciding whether or not to apply for one, you might consider whether avoiding the short term hassles of dealing with the city is worth the long-term consequences—you may not be adding much value to your property.

The information in this article is meant to be an overview of the experience of one homeowner. It is not meant to be a complete description, and because procedures and code interpretations can sometimes change overnight, you should consult the building department and/or knowledgeable contractor or design professional before acting on any of it.

Ricka Gerstman is a Realtor and lives in Glen Park.

First NIT-AMP Meeting

St. Nicholas Orthodox Church hosted a dinner in October to kick off the the formation of our "Neighborhoods in Transition: A Multi-Cultural Partnership" coalition. Attendees included GPA officers, Glen Park and Diamond Heights merchants, pastors from our local churches, the principal of McAteer High School, local park and recreation officials, and officers/board members of the various condominium and subsidized housing complexes.

The GPA is looking for an interested member to take an active role with the coalition. Please contact Linda Montgomery at 585-6314 if you are interested.

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Arts and Crafts Fair Planned for Glen Park

May 5 and 6 have been selected as the dates for a fair. It will be co-sponsored by Glen Park Elementary, the Merchants' Association and the Glen Park Association.

On Friday, May 5, the school will have its own festival of music, dance, arts and crafts. On May 6, Glen Park will have an Arts and Crafts Fair. It will take place both at the school and on the green space between Lippard and Brompton north of Bosworth.

We are very excited about this and are looking for volunteers, artists and craftspeople. If you are interested, please call Keith Henderson at 584-4367.

Final GPA Meeting in 1994

A group of 11 Glen Park residents met with Daniel Gray, the Mayor's liaison to Glen Park, on election night to discuss our concerns about the neighborhood. Mr. Gray, 10 weeks into a new job, explained his multi-faceted responsibilities. A spirited dialogue ensued, GPA members described the many positive attributes of the neighborhood as well as the sentiment of being "short changed" on City services.

Daniel left with the challenge of getting our new tennis courts unlocked so residents can get out and play when the rain stops!

Have a good holiday season and we look forward to seeing you in 1995!

Mayor's Office To Offer $10,000 Reward

Since the two-month investigation of Joseph Jaworowicz' murder has not produced many leads, the Mayor's office has given the green light for a $10,000 reward to be offered for information leading to the arrest and conviction of the perpetrators.

Call Inspectors Guinther or Tank at 553-1145 (days) or 553-1071 (evenings).

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What are your main area(s) of interest or concern about Glen Park? _____

Would you be willing to help the committee most involved with your concerns? ☐ Yes ☐ No

Your business or profession (optional): _____

And any special skill, hobby or interests (optional) _____

Dues are only $5.00 per person and are for the calendar year.

GLEN PARK NEWS

The Glen Park Association
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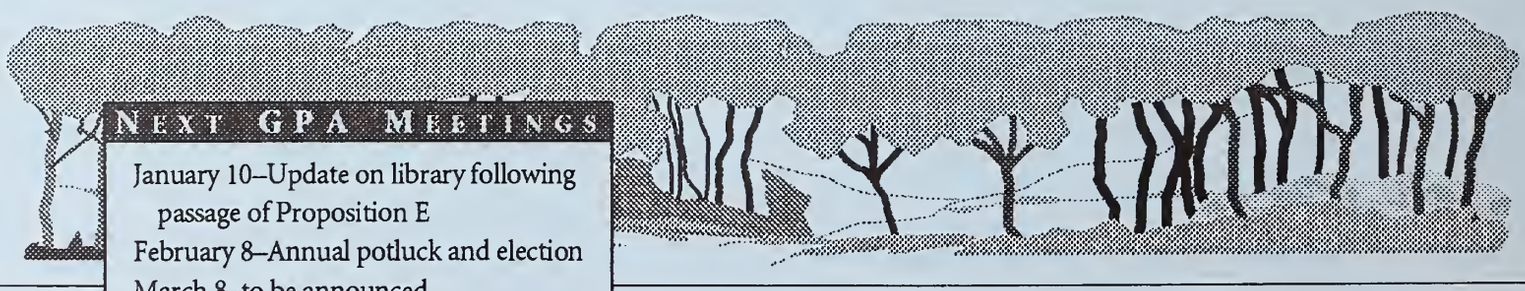

Next GPA Meetings

January 10–Update on library following passage of Proposition E
February 8–Annual potluck and election
March 8–to be announced